

Sports Agent Act, and assisted countless state, federal and local investigators in important investigations. In addition, he has helped develop and plan the investigative priorities of the Attorney General's office. Jesse also served as a certified instructor for Peace Officer Standard and Training program for Alabama.

I, and Senator RICHARD SHELBY, were pleased to recommend him to President Bush and I am certain that these qualities will make him a great Marshal.

When I became Attorney General, the office faced a serious budget crisis. Indeed, it was a disaster. The office was forced to reduce its size by one-third and to completely reorganize to meet our challenges with less personnel. That is when I saw Jesse Seroyer rise to the challenge. He took on many challenges and extra duties. Most importantly, as the investigator with the most institutional knowledge, he was invaluable to me and others in the office. It was a difficult time and he was a tower of strength. Without his leadership and cooperation we could not have been successful.

More than just a respected law officer, Jesse Seroyer is a man of faith and family. He married a very special lady, Novelette K. Ward, in 1973 not long after graduating from Opelika High School. Their marriage has produced two children, Steve and Jessica.

His faith is central to his life. He and his wife are active members of Greater Peace Baptist Church where he serves as a Deacon. He also serves as a Director for Boy Scout Troop 373, Opelika, Ala., and is a member of the National Organization of Black Law Enforcement Executives.

Novelette is extremely talented in her own right. She is also a state employee with the State Department of Education. She is a woman of rich Christian faith. At Jesse's investiture, she blessed the large crowd beautifully singing "America." It was a special way indeed for Jesse to start his new work.

Jesse Seroyer loves his God, his family and his country. He is trained and ready for this new step in his career. I extend my special appreciation to President Bush for this nomination and to the Senate for its unanimous confirmation. He will serve superbly.●

THE DEATH PENALTY AND THE INNOCENT

● Mr. CORZINE. Mr. President, Monday, a man named Ray Krone was released from prison. Ray Krone had been convicted of murder. He had already served 10 years behind bars. And he had been sentenced to die.

But Ray Krone is and always has been an innocent man. New DNA evidence proved that conclusively. He was convicted for a crime he did not commit. And prosecutors now acknowledge that. As the local county attorney put it, "He deserves an apology from us, that's for sure."

To put it mildly, that is an understatement.

How would any of us feel if we were charged, tried and convicted by a jury of our peers for a crime we did not commit? And then, to top it off, sentenced to die?

Ray Krone knows what that feels like. And, unfortunately, he is not alone. In fact, he was the 100th person to be released from death row with proof of his innocence.

These 100 innocent people have experienced nothing short of a living hell. And the outrageous injustice of their convictions and their sentences should be a wake up call for all of us.

I take second place to nobody in my determination to fight the scourge of crime. As part of that effort, I believe we need to be very tough on violent criminals, including imposing long sentences with little or no opportunity for parole.

But while we get tough on crime, we also need to recognize that our criminal justice system makes mistakes. Sometimes very serious mistakes.

Until recently, it was virtually impossible to know when innocent people were wrongfully convicted. But with the advent of DNA technology, at least some of these cases finally are coming to light.

Why are innocent people convicted and sentenced to death? To a large extent, it is because our criminal justice system has serious systemic flaws.

Capital defendants often have lawyers who do a terrible job. Sometimes, their failure is simply a result of carelessness and lack of preparation. They fail to find or interview key witnesses. They fail to thoroughly read the case law. They fail to object to unreliable evidence. They make a variety of mistakes.

I don't say this to criticize all defense attorneys. Most try to do a good job. But too many are inexperienced, overworked and underpaid. Even if they worked 24 hours a day, 7 days a week, they're just too overwhelmed to provide effective representation.

But ineffective assistance of counsel is just one reason why innocent people find themselves on death row. Sometimes eyewitnesses make honest mistakes. Sometimes, witnesses give false testimony, such as jailhouse informants seeking reduced sentences. Sometimes, prosecutors engage in misconduct by, for example, withholding evidence that could help a defendant's case.

Any of these factors can lead to a wrongful conviction. And we now have 100 examples to prove it.

A system that sends 100 innocent people to death row can be called a lot of things. But fair, equitable and just are not among them.

In fact, our criminal justice system is badly broken. And before we send any more innocent people to death row, we need to fix it.

That is why I am joining with Senator FEINGOLD in cosponsoring legisla-

tion to establish a moratorium on all Federal executions until a commission can be established to review the death penalty system and propose meaningful reforms.

This wouldn't lead to the release of any convicted criminals, or threaten public safety in any way. It would simply help ensure that innocent people are not put to death.

I urge my colleagues to support this legislation. And I want to express my sincere appreciation to Senator FEINGOLD for his leadership on this critically important matter.●

LOCAL LAW ENFORCEMENT ACT OF 2001

● Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in January 1996 in Houston, TX. A gay man was brutally murdered. The assailant, self-proclaimed white supremacist Daniel Christopher Bean, 19, was sentenced to life in prison for the murder.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.●

RECOGNITION OF LOILA HUNKING, CHILDCARE SERVICES COORDINATOR FOR THE STATE OF SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, I rise today to honor a very special South Dakotan who has made a real difference in the lives of women, children, and families across my home State. Today is Loila Hunking's last day as Childcare Services Coordinator for the State of South Dakota. While I'm sure this is not the last we have seen of Loila, I wanted to use the occasion of her retirement to honor her tireless work in many capacities for the people of the State of South Dakota.

After some time as a reporter and editor for our State's largest newspaper, the Sioux Falls Argus Leader, Loila turned to a career as a high school English and Journalism teacher in Brandon, SD. During this time, Loila was an active member in the South Dakota Education Association, and also served in the South Dakota House of Representatives. Her time in the South Dakota Legislature is marked by her strong support for equal rights for women, enactment of a spousal rape law, credit regulation, and human rights issues. After leaving the